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GENOMICS, INC.

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2  
3 **UNITED STATES DISTRICT COURT**  
4 **NORTHERN DISTRICT OF CALIFORNIA**  
5 **SAN FRANCISCO DIVISION**

ILLUMINA, INC.  
ILLUMINA CAMBRIDGE LTD.,

Plaintiffs,

v.

BGI GENOMICS CO., LTD.,  
BGI AMERICAS CORP.,  
MGI TECH CO., LTD.,  
MGI AMERICAS, INC., and  
COMPLETE GENOMICS INC.,

Defendants.

COMPLETE GENOMICS INC.,

Counterclaim-Plaintiff,

v.

ILLUMINA, INC., and  
ILLUMINA CAMBRIDGE LTD.,

Counterclaim-Defendants.

Case No. 3:19-cv-03770-WHO  
Case No. 3:20-cv-01465-WHO

**JOINT STIPULATION REGARDING  
DEPOSITION SCHEDULING AFTER  
THE CLOSE OF FACT DISCOVERY  
AND [PROPOSED ORDER]**

Judge: Honorable William H. Orrick

1 Pursuant to Northern District of California Civil Local Rules 6-1(b), 6-2 and 7-12, Illumina,  
2 Inc. and Illumina Cambridge Ltd. (“Plaintiffs”) and BGI Genomics Co. Ltd., BGI Americas Corp.,  
3 MGI Tech Co., Ltd., MGI Americas, Inc., and Complete Genomics, Inc. (“Defendants”)  
4 (collectively, “the Parties”) jointly stipulate regarding the scheduling of the following depositions  
5 that are to occur after the close of fact discovery.

6 WHEREAS, the parties made various agreements regarding depositions of Defendants’  
7 witnesses after the close of fact discovery (Case 3:19-cv-03770, Dkt. No. 318);

8 WHEREAS the parties agreed that Defendants would make Duncan Yu, Radoje Drmanac,  
9 and Chongjun Xu available for deposition after Defendants had completed production of any  
10 additional documents related to (a) the Court’s Order of December 1, 2020, and (b) the parties’  
11 disputes over privilege issues (Case 3:19-cv-03770, Dkt. 318);

12 WHEREAS the Court ordered Defendants to make Roy Tan, Xun Xu, and Jian Wang  
13 available for deposition (Case 3:19-cv-03770, Dkt. 296);

14 WHEREAS, on June 2, 2021, Judge Hixson ordered Defendants to respond to Illumina’s  
15 objections to Defendants’ *in camera* submission (Case 3:19-cv-03770, Dkt. No. 367);

16 WHEREAS, the parties agree to cooperate to allow for the depositions of Radoje Drmanac,  
17 Duncan Yu, Chongjun Xu, Roy Tan, Xun Xu, and Jian Wang to be taken by no later than 40 days  
18 after Judge Hixson resolves the parties’ dispute regarding privilege issues and in accordance with  
19 local health regulations and travel restrictions;

20 WHEREAS, the parties agree that Defendants shall make Duncan Yu, Radoje Drmanac,  
21 Chongjun Xu, Roy Tan, Xun Xu, and Jian Wang available for deposition on different, mutually  
22 agreeable dates that are each at least five (5) business days after the later of Judge Hixson’s order  
23 resolving the parties’ dispute regarding privilege issues or Defendants complete production of  
24 additional documents, if any, related to the parties’ disputes over privilege issues;  
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WHEREAS, the Court has permitted seven previous extensions to deadlines in Case No. 3:19-cv-03770-WHO. *See* Dkt. Nos. 17, 64, 95, 110, 261, 318, 339;

WHEREAS, the Court has permitted eight previous extensions to deadlines in Case No. 3:20-cv-01465-WHO. *See* Dkt. Nos. 39, 44, 47, 193, 249, 320, 340, 359; and

WHEREAS, the parties may need additional relief depending on future orders and events, and the parties reserve their rights to pursue further relief and remedies regarding this discovery.

IT IS SO STIPULATED.

Dated: June 9, 2021

By: /s/ Douglas W. McClellan

By: /s/ David A. Perlson

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MGI AMERICAS, INC., and COMPLETE  
GENOMICS, INC.

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2 DATED: \_\_\_\_\_

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3 WILLIAM H. ORRICK  
4 United States District Court Judge  
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**ATTESTATION**

I, Douglas W. McClellan, am the ECF User whose ID and password are being used to file this Stipulation. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that David A. Perlson has concurred in this filing.

DATED: June 9, 2021

By /s/ Douglas W. McClellan  
Douglas W. McClellan